

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CLINMICRO IMMUNOLOGY CENTER,  
LLC,

CIVIL ACTION NO. 3:11-02213

Plaintiff,

v.

(JUDGE CAPUTO)

PRIMEMED, P.C., and JOAN SALJKO,

Defendants.

ORDER

NOW, this 23<sup>rd</sup> day of July, 2012, **IT IS HEREBY ORDERED** that Defendants PrimeMed, P.C., and Joan Saljko's Motion to Dismiss ClinMicro Immunology Center, LLC's Complaint (Doc. 10) is **GRANTED in part and DENIED in part**.

- (1) Defendants' motion to dismiss the fraudulent inducement claim, Count V, and the duty of good faith and fair dealing claim, Count XII, is **GRANTED**. Counts V and XII are dismissed with prejudice.
- (2) Defendants' motion to dismiss the tortious interference with contracts claims, Counts VI and VII, is **GRANTED**. The tortious interference with contracts claims are dismissed. Plaintiff has **twenty-one (21) days** from the date of entry of this Order to amend its complaint to properly plead its tortious interference with contract claims; otherwise, the claims will be dismissed with prejudice.
- (3) Defendants' motion to dismiss Plaintiff's claims for breach of the Laboratory Services Agreement, Count II, conversion, Count VIII, accounting, Count IX, and civil conspiracy, Count X, is **DENIED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge